

EUREKA COUNTY BOARD OF COMMISSIONERS
April 7, 2008

STATE OF NEVADA)
 : ss
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners met pursuant to law on April 7, 2008. Present were Chairman Jim Ithurrealde; Vice Chairman Kenneth Benson; Member Donna Bailey; District Attorney Theodore Beutel; and Clerk & Treasurer Jackie Berg. Chairman Ithurrealde called the meeting to order at 9:35 a.m. The interactive video conferencing system was connected and utilized between Crescent Valley and Eureka for the entire meeting.

APPROVAL OF AGENDA

Commissioner Bailey motioned to approve the agenda as posted. Commissioner Benson seconded the motion. Motion carried 3-0.

APPROVAL OF MINUTES

Commissioner Benson motioned to approve the minutes of the February 26, 2008, budget meeting; Commissioner Bailey seconded the motion; motion carried 3-0. Commissioner Bailey motioned to approve the minutes of the March 6, 2008, Commission meeting; Commissioner Benson seconded the motion; motion carried 3-0.

PUBLIC COMMENT

The Chairman opened the floor to public comment and there were none.

FINANCE

Payment of Expenditures: Expenditures were presented for approval by Recorder/Auditor, Mike Rebaleati. Commissioner Benson motioned to approve the County expenditures in the amount of \$242,307.98 for accounts payable, and \$273,188.85 for payroll; Commissioner Bailey seconded the motion; motion carried 3-0. Commissioner Bailey motioned to approve Yucca Mountain expenditures in the amount of \$12,342.28; Commissioner Benson seconded the motion; motion carried 3-0.

Auditor's Report: The Auditor's Report was reviewed without questions or comments.

Departmental Budgets in the FY08-09 Tentative Budget: The Tentative Budget was approved at the March 27th budget meeting, and Budget Officer, Mike Rebaleati, presented the top sheets for signature. Commissioner Benson motioned to sign the top sheets for the departmental budgets for the Fiscal Year 2008-2009 Tentative Budget. Commissioner Bailey seconded the motion. Motion carried 3-0.

Disposal of Computer Equipment: The County has accumulated a surplus of used computers, printers, and monitors. Damaged units would be disposed of, but Mr. Rebaleati requested authorization to offer remaining equipment in a silent auction or for donation. Commissioner Benson motioned to authorize advertising for disposal of surplus computer equipment by silent auction. Commissioner Bailey seconded the motion. Motion carried 3-0.

Eureka County Mileage Reimbursement Rate: State and federal mileage rates were recently increased to 50.5 cents per mile, and the County customarily follows the standard rate. Commissioner Benson motioned to approve increasing the County mileage rate to 50.5 cents per mile, effective immediately. Commissioner Bailey seconded the motion. Motion carried 3-0.

CORRESPONDENCE

Correspondence was received from: Eureka County Economic Development Program; Mary Korpi of Newmont Mining; letter from Chairman Ithurralde to Crescent Valley Town Advisory Board; Dave Mason; Fay Ward; Ann Bramsen; Evan Fulton, University of Nevada Reno Cooperative Extension; letter from District Attorney, Ted Beutel, to Ray Davis, PE; letter from Clerk, Jackie Berg, to Mrs. Gerry Collingwood; Eureka County Planning Commission; Crescent Valley Town Advisory Board (5); Barrick Gold's quarterly report; Edward C. Reed High School; Nevada Dept. of Transportation; Nevada Dept. of Taxation (2); Nevada Tax Commission; Committee on Local Government Finance; Subcommittee on Local Government Finance; Nevada Division of Water Resources (3); Nevada Division of Environmental Protection; Nevada Dept. of Motor Vehicles; Nevada Small Business Development Center; Nevada Indigent Accident Fund; Center for Creative Land Recycling; Nevada Fire Safe Council; Public Utilities Commission of Nevada (6); NACO; Western Watersheds Project; TNT Auction; Branch Enterprises; US Dept. of the Interior-Minerals Management; and US Dept. of the Interior-BLM.

DEPARTMENT HEAD REPORTS

COUNTY FACILITIES AND ECONOMIC DEVELOPMENT

Update Report on County Facilities and Economic Development: Facilities Director, Wally Cuchine, discussed the letter received from Ann Bramsen, requesting copies of a transcribed interview with her grandfather, "*An Interview with Isadore Sara, Jr.*" Eureka County holds the copyright on these individual interviews that were conducted for the Eureka History Project. Mr. Cuchine suggested that the County approve reproduction for the Sara family, as well as purchasing a copy for the Eureka Sentinel Museum. Commissioner Benson asked that this be placed on the next agenda for action and felt the museum should stock several copies.

Beginning in May, the Sentinel Museum will be open seven days a week. A large group of tourists were in Eureka during the past weekend for the Shakespearean event at the Opera House, including high school drama students from Ely who visited to attend the event, assist in set-up, and participate in workshops. Mr. Cuchine recently appeared on the Elko television station promoting Eureka County and the Opera House. Program time was shared with Lieutenant Governor, Brian Krolicki. The Economic Development Program continues working towards the Fly-In and Car Show scheduled for Mothers' Day weekend in May.

Recommendation From Economic Development Program Advisory Board: A letter received from the Economic Development Program Advisory Board recommended that Eureka County focus on maintaining the integrity of the historic downtown Eureka business district. Board member, Lee Raine, expanded on the contents of the letter, stating it is common to see a historical business district abandoned and allowed to deteriorate while a new business district is constructed in a completely different area of town. Often the same communities return later and attempt to refurbish the historical part of town. Ms. Raine felt the County should promote growth and maintenance in the Main Street area, and discourage new business growth outside of the central area of town. Without zoning, the Board does not have control over directing business growth, but agreed with the concept presented, and Commissioner Benson asked that Economic Development come forward with a resolution sometime in the near future.

Trish Reynolds, Program Assistant, stated that Joe Locurto, Director of Rural Economic Development for Nevada, discussed the Main Street Trust at a recent meeting; this organization provides assistance to small communities in preserving the history of their towns.

SENIOR CENTERS

Update Report on Eureka Senior Center and Fannie Komp Senior Center: Millie Oram, Site Director, reported on activities at both Senior Centers. Meals served during the month of March were 842 in Eureka, an average of 40 per day; and 630 in Crescent Valley, an average of 30 per day. Deposits for the month totaled \$6,450.31. Ms. Oram commented that circumstances had been difficult with the death of several seniors over the past few months.

Notification of Grant Award: Commissioner Benson motioned to ratify tentative approval given at the last meeting for the Chairman to sign the notification of grant award from the Nevada Division for Aging Services for the Nutrition Service Incentive Program for October through December, 2007. Commissioner Bailey seconded the motion. Motion carried 3-0.

SWIMMING POOL / PARKS / RECREATION

Update Report on Swimming Pool and County Facilities: Pool Supervisor, Cindy Adams, reported that the pool had 375 total swimmers for the month of March. This included morning lap swimmers, two groups of Boy Scouts from Ely, the theater group that was in town for the Shakespearean event, and ten participants in swimming lessons. Activity related to parks and recreation is somewhat stagnant while they wait for the snow to melt. Ms. Adams plans on providing some casual help during the May Fly-In. Ms. Adams reported she was away recently on family medical leave due to the illness of both her parents.

ROAD DEPARTMENT

Update Report on Road Department Activities: Road Foreman, Steve Auch, reported that the road crews are working hard blading roads throughout the County. Snow is beginning to melt and water runoff will be monitored in the McCluskey and Devil's Gate areas; major problems are not expected. One pass has been made with the new sweeper, including northern County roads and the Airport, and it has proved to be a nice machine. Pavement evaluations were completed and provided to the County Engineer. Mr. Auch believes the annual slurry seal and maintenance have really paid off in preserving the condition of the roads.

Red Card Certification training has been scheduled at the Opera House on April 22nd beginning at 8:00 a.m. The morning session will include fire instruction, and Cindy Adams will help provide first-aid training for a couple of hours in the afternoon.

PUBLIC WORKS

Crescent Valley Construction Projects: Public Works Director, Ron Damele, reported on the Crescent Valley Construction Projects. The Community Center is completely enclosed; sheet rock is being installed at the Justice Facility and stucco should be applied within the week.

Eureka Justice of the Peace Remodel: The remodel for the Eureka Justice Court is nearly complete; carpeting and cabinets have been installed, painting is complete, and electronics will be installed. A change order will be forthcoming for installation of two gates and a panic button in the courtroom and office.

Office Repairs at the Eureka Senior Center: This office is used by Home Health Services and the floor is in extremely poor condition. The contractor working on the Annex remodel submitted an estimate for replacing the floor, including new carpet and paint, in the amount of \$11,121.65. Commissioner Benson motioned to approve Change Order #3 for the office repairs at the Eureka Senior Center. Commissioner Bailey seconded the motion. Motion carried 3-0.

Agreement for Battery Collection at Eureka Landfill: On March 20th, the Board approved an agreement with Eureka Hardware, LLC, for battery collection at the Eureka Landfill. A contract was subsequently drafted and was now available for signature. Commissioner Benson motioned to approve signing the agreement with Eureka Hardware, LLC, as negotiated on March 20, 2008. Commissioner Bailey seconded the motion. Motion carried 3-0.

Emergency Room Doors at Eureka Medical Center: The emergency room doors at the Eureka Clinic do not contain privacy glass, and quotes were received from two vendors to replace the glass. White Pine Glass of Ely submitted a quote of \$1,818.96, and Fast Glass of Elko submitted a bid of \$5,860.00. Commissioner Benson motioned to approve the bid from White Pine Glass, in the amount of \$1,818.96 to replace glass in the emergency room doors at the Eureka Medical Center. Commissioner Bailey seconded the motion. Motion carried 3-0.

Professional Services Contract with Lumos & Associates: This item was tabled to the afternoon, at which time the Board discussed the updated fee schedule with Tom Young, of Lumos & Associates. Changes to the fee schedule were negotiated in an earlier meeting with County staff, and included an increase to the monthly engineer fee from \$2,000.00 to \$2,200.00; and the addition of 7.5 percent to cover insurance costs to administer sub-consultant and permit fees (previously managed at no cost). Although the contract is for a two-year period, the fee schedule is addressed every year. Multi-year projects adhere to the original fee schedule through the duration of the project. Commissioner Bailey motioned to approve renewal of the two-year Professional Services Contract with Lumos & Associates, from March 7, 2008, through March 5, 2010, and to accept the updated fee schedule. Commissioner Benson seconded the motion. Motion carried 3-0.

Storage of Fire Equipment: JJ Goicoechea, President of the Eureka Fire Department, and Mr. Damele updated the Board on storage options for fire equipment during construction of the Eureka Fire Station, anticipated to take up to 18 months. The School District has agreed to provide three bays in the new bus barn for storage in exchange for the County splitting costs of insulating the entire building and providing two propane heating units.

Bath Lumber was contacted regarding storage of the remaining fire equipment in their building and fenced yard located in Eureka for \$1,000.00 per month. Per recommendation of Mr. Damele, the Board agreed to table approval of these storage options pending an estimate from the contractor for cost of insulation at the bus barn.

Mosquito Abatement Contract: The most recent contract has expired and Public Works is advertising for another annual contract for mosquito abatement services in Crescent Valley. Proposals will be submitted for approval at the April 21st meeting.

May Clean-Up: Each year the Commissioners designate May as clean-up month, and Mr. Damele requested that they do so again with the same parameters of the previous year. Commissioner Bailey motioned to designate the annual May Clean-Up, to include furniture and yard waste only. Commissioner Benson seconded the motion. Motion carried 3-0.

Resolution Updating Appraiser List: Commissioner Benson motioned to adopt a resolution updating the list of appraisers included in the Eureka County Code, Title 2, Chapter 16.030. Commissioner Bailey seconded the motion. Motion carried 3-0.

Eureka, Nevada

RESOLUTION

April 7, 2008

UPDATING THE LIST OF ALL PERSONS QUALIFIED TO
ACT AS GENERAL APPRAISERS IN EUREKA COUNTY

WHEREAS, the Board of Eureka County Commissioners are guided by Eureka County Code 2.60, Sale of County Owned Property; and

WHEREAS, pursuant to that Ordinance the Commissioners may change the list of persons qualified to act as general appraisers in Eureka County by resolution, according to ECC 2.60.030; and

NOW THEREFORE BE IT RESOLVED the Board of County Commissioners hereby adopt the following list of appraisers, to be filed together with the original Ordinance held in the Clerk's Office.

Andrea Davis, Certified General Appraisal – 741 Spring Creek Parkway, Spring Creek, NV 89815
Jim Davis, SRA, Certified General Appraisal – 660 W. Williams Ave., Fallon, NV 89406
Ruby Mountain Realty & Appraisal – Spring Street, Eureka, NV 89316
Turner Appraisals – Russell Turner, Bruneau, ID 83604
Tom Riggins, Real Estate Appraiser – 4505 Carson River Drive, Fallon, NV 89406
Brenda Boren, CRA – 45 N. Elm Ave., Ely, NV 89301
Duvall Appraisal Service – PO Box 778, Battle Mountain, NV 89820

Adopted this 7th day of April, 2008.

/s/ J.P. Ithurralde
Chair of the Board, Eureka County Commission

Attest: /s/ Jackie Berg
Clerk

Authorization to Advertise for Bids for Water Tender Tanks and Pump Rebuilds: Tanks have failed on the Beowawe tender and the Diamond Valley tender and Mr. Damele presented bid specifications for replacing the tanks and rebuilding the 500 gpm Darley pumps on each unit. Commissioner Benson motioned to authorize Public Works to advertise for bids for two new tanks and repairs to the Darly pumps for the Beowawe and Diamond Valley tenders. Commissioner Bailey seconded the motion. Motion carried 3-0.

HOME HEALTH SERVICES OF NEVADA

Update Report and Introduction of Home Health Nurse: Home Health representatives Bill Guisti, Administrator/CEO, and Leah Doke, Director of Professional Services, provided a review of services available and interaction with other providers in Eureka County. They were pleased to introduce Judy Zimmerman, the new Home Health Nurse for the Eureka area, who will be working out of an office at the Eureka Senior Center. Mr. Guisti and Ms. Doke met with the clinic staff before attending the Commission meeting and were scheduled to give a presentation at the Senior Center during the noon hour. The Board welcomed Ms. Zimmerman and thanked the Home Health staff for their update.

COUNTY ENGINEER

Update on Eureka Fire Station Project: Tom Young, of Lumos & Associates, stated that plans were submitted to the State Fire Marshall, and he is scheduled to meet with the Fire Marshall and Architect, Fred Dolven, later in the week, which will provide preliminary modifications. Pending this meeting, Mr. Young feels the plans will be suitable to begin advertising for bids, and plans on making that recommendation at the April 21st meeting.

One Million Gallon Water Tank and Booster Station Project: Mr. Young had a survey crew in the area recently, so topography was completed on the area around the booster station and tank site. He now requested to move forward with design. Commissioner Benson motioned to move forward with the design for the booster station and one million gallon water tank. Commissioner Bailey seconded the motion. Motion carried 3-0.

2008 Street Maintenance Project: Mr. Young stated the preliminary plans for the 2008 Street Maintenance Project include culverts under County Road 101 and Reno Avenue for the main creek running through the town of Eureka, paving a small portion of Dibble Lane, slurry sealing and patching, and the large grant project at the airport. The project will be advertised as soon as the Board authorizes proceeding with the design phase. Bids should be reviewed in the next 30-45 days, with an anticipated construction start date of July 7th. Commissioner Benson motioned to approve beginning the design for the 2008 Street Maintenance Project. Commissioner Bailey seconded the motion. Motion carried 3-0.

Spring Reconstruction Project: The overall reconstruction project includes ten springs and a considerable amount of transmission/collection line to deliver the water to town. During budget discussions the Board agreed to go forth with design plans for the project, and to spread the spring rehabilitation over several years. Commissioner Benson motioned to begin the design of the Spring Reconstruction Project, with the specific intent of rehabilitating four springs in the upcoming fiscal year. Commissioner Bailey seconded the motion. Motion carried 3-0.

AMBULANCE AND EMS

Activity Report: Mike Sullivan, EMS Coordinator, reported that since the last meeting Eureka had seven calls for service (33 year-to-date) and Crescent Valley had two (15 year-to-date). Mr. Sullivan highlighted volunteer staffing levels throughout the County.

Application for Geographic Variance: Mr. Sullivan explained that staffing in the Crescent Valley area has been a challenge and requested authorization to apply to the State Board of Health for an ambulance driver variance. Currently drivers are limited to licensed EMTs or

Ambulance Attendants, but the variance would allow First Responders to serve as drivers as well. Commissioner Benson motioned to authorize the EMS Coordinator to apply for a variance regarding ambulance drivers. Commissioner Bailey seconded the motion. Motion carried 3-0.

Ambulance Bill Write-Offs: Commissioner Benson motioned to approve ambulance bill write-offs for patient #2205191 in the amount of \$5.00, and patient #2006227 in the amount of \$50.00. Commissioner Bailey seconded the motion. Motion carried 3-0.

Letter from Concerned Citizen: A letter was received from a resident citing concerns over problems related to an ambulance run in Crescent Valley. The Board asked Mr. Sullivan about the events surrounding this incident. Mr. Sullivan was in Elko on another run at the time, but had looked into the incident. He admitted there were difficulties which mainly stemmed from lack of emergency personnel. There were delays in locating a driver, and the responding volunteer injured herself while loading the patient. There was an equipment problem with the gurneys, but Mr. Sullivan has checked them out and they are working properly. He hopes to avoid future problems by encouraging recruitment and obtaining the driver variance.

NEWMONT MINING CORPORATION

Update on Plan of Operations for Bluestar-Genesis: Mary Korpi, Director of External Relations, greeted the Board and introduced Meg Burt, Environmental Coordinator for Newmont. Ms. Korpi invited the Board and any interested public to attend a scoping meeting scheduled in Elko on April 2nd regarding the Bluestar-Genesis open pit gold mine in Eureka County.

Ms. Burt explained that Bluestar will basically be an expansion of the Genesis Pit already existing in northern Eureka County on the Carlin Trend, consisting of open pits West Genesis Phase One and West Genesis Phase Two. This addition will require expansion and upgrade of waste rock disposal facilities, haul roads, and access roads. The Plan of Operations includes moving approximately 455 million tons of waste to get about 60 million tons of ore, which will be processed at Newmont's north area leach pad or the roaster at Gold Quarry. This expansion won't increase Newmont's workforce, but will maintain it for an additional 12 years.

Ms. Burt briefly covered the permitting process, including submission of the Plan of Operations to the Bureau of Land Management Elko Field Office. Ms. Korpi stated Newmont representatives would return to seek support from Eureka County once the draft Environmental Impact Statement is received. The Board thanked both representatives for their presentation, commenting that Newmont enjoys continued support and cooperation from Eureka County.

RECESS FOR LUNCH

The Board recessed for lunch from 11:30 a.m. to 1:00 p.m.

NEVADA DEPARTMENT OF AGRICULTURE

Mormon Cricket Work Plan for 2008: Jeff Knight, State Entomologist, and Robert Little, Agriculturist II, from the Nevada Department of Agriculture gave an update on the Mormon Cricket Work Plan for 2008. Mr. Knight first thanked the Board for cooperation received from Eureka County in prior years and hoped to continue the cooperative effort in the future.

Mr. Little reviewed statistics of Mormon cricket infestations across the state. Last year approximately one million acres were infested, a substantial decrease from previous years; 2006 had eight to 10 million acres infested, and 2005 had 10 to 12 million acres infested. Aerial spray treatment covered 6,290 acres, with most of that being in Elko County; ground treatment covered 9,428 acres, with most of that being in Eureka County. Total program cost for 2007 was about \$350,000.00. The Department has been working with the 6.7 million dollars obtained in 2004 for the Mormon Cricket Program and has a residual of about 1.7 million dollars. The Department was successful in obtaining another supply of funding through Congress in the neighborhood of \$800- to \$900,000.00. This year's cost is estimated to be around \$150,000.00.

Mr. Little reviewed equipment and supplies on hand and staffing plans for the upcoming season, which were more than adequate for any immediate needs. Most of the program will be run out of the Reno office, with several staff members available that can be dispatched on short notice. For more serious flare-ups, personnel can be pulled from other projects, and a plane could be dispatched in a matter of one week to 10 days. Mr. Knight stated a form will be available on the Department of Agriculture website so that people can email a report when crickets are sighted. Mr. Knight added that Judy Overton, in the Eureka County Natural Resources Department, is also a good local contact person.

Currently there is no plan for the cost-shared position that Eureka County helped fund last year, but this can be addressed later on if a need becomes apparent. Ron Damele stated that Eureka had hired independent contractors in the past, and could do so again if warranted; casual help could cover immediate needs while the bid process is initiated.

On a final note, Mr. Knight asked that the Department be notified of any remaining bait that was distributed during the previous season, so it could be picked up for storage. It is quite expensive and can be damaged if not stored properly.

US GEOLOGICAL SURVEY

Update on Diamond Valley Regional Flow System Study, Phase II: Mary Tumbusch, Hydrologist from the Nevada Water Science Center of the USGS, gave an update on the Diamond Valley Regional Flow System Study. Ms. Tumbusch had hoped to give an update a month or two earlier, but due to the rate of snow this winter, was unable to complete any field work. The study began because a need was recognized to quantify ground-water available for agriculture and mining, possible decline of groundwater from various activities and/or drought, relation of flow between basins, and possibility of exportation of groundwater for urban use.

Phase II of the study is intended to focus on groundwater inflow and outflow measurements, with intent of developing a conceptual model. Ms. Tumbusch detailed the data gathered in the study, including inflow, outflow, recharge from precipitation, recharge and discharge in the basins, subsurface flow, interconnection between basins, permeability, groundwater outflow by various processes, evaporative transpiration, groundwater pumping, transmissivity, water fill in the carbonate rock aquifer, runoff versus infiltration, soil heat flux, solar radiation, geochemistry, vegetation mapping, elevation data, riparian zones, etc. This year will include water quality and geochemistry studies at the wells.

Instruments and mechanisms used to gather, measure, and analyze the material include the four wells that were recently drilled, the ET (evapo-transpiration) stations that were deployed last summer and fall, and various instrumentation and equipment such as temperature probes, moisture probes, 3D sonic stations, hydrometers, net radiometers, etc.

Information is analyzed using the Bowen-ratio system, GIS software, and programs called Southwest Gap and Schrub Map Data. Some portions of the study are pending a full year of measurements from the ET stations. Comparisons can be made using a study conducted approximately ten years ago by John Bell of the University of Nevada, Department of Mines and Geology, which measured subsidence in Diamond Valley. The overall Diamond Valley Regional Flow System Study report is due by September 30, 2009.

Commissioner Benson inquired as to the accuracy of results from a study like this. Ms. Tumbusch related her experience with the various measuring mechanisms and stated she is very confident in the results that will be forthcoming from this study.

Commissioner Benson asked if results might be ready in the June or July timeframe of the current year, so they could be utilized during proceedings with the State Engineer's office in relation to protests filed against water applications submitted on behalf of General Moly, Inc. Ms. Tumbusch stated she could provide preliminary results, but final results would rely on several years of ET data in order to incorporate data from both wet and dry years.

Commissioner Benson replied that the goal of this study was an honest evaluation of water activity, and he was not requesting a 'rush to judgment'. Ms. Tumbusch concurred that the USGS's goal is to give non-partial, unbiased, scientific information.

NEVADA DIVISION OF FORESTRY

Introduction of Returning Seasonal Firefighter: Battalion Chief, Joe Anelli, introduced returning Seasonal Firefighter, Brian Hoehne, and the Board welcomed Mr. Hoehne back.

Recognition of Eureka Volunteer Fire Department: Sam Hicks, Fire Management Officer, was unable to attend, but forwarded comments recognizing the efforts of the Eureka Volunteer Fire Department. Mr. Anelli added his own thanks to the volunteers and read Mr. Hick's comments: *"I'd like to start out by saying thanks to the Eureka County Commission for efficiently supporting the Volunteer Fire Departments throughout the County. Due to their excellent support and the positive attitudes of the volunteers, allows the residents of Eureka County to feel secure and safe. On March 28th, Eureka Volunteer Fire Department, with support from the Diamond Valley Volunteer Fire Department, reported to a residence on Spring Sreet in Eureka. The call came in as a fully engulfed structure fire. Upon arrival it was noted that the fire had self-vented and was actively burning. Eureka Volunteer Fire Department made entry and quickly contained the fire. The resident's home sustained major smoke and fire damage. The resident was transported to the medical facility and was checked out for any injuries; no injuries were found and she returned to the scene. The quick action could not have been provided without the support of the County Commission and the excellent attitude toward fire and training for the volunteers of the Eureka and Diamond Valley Fire Departments. So to that one, I say thanks."*

The Commissioners each added their thanks to the volunteers. Chairman Ithurralde repeated a comment from Chief, Dan Brown, that there was good teamwork and communication from all volunteers that responded to assist in that structure fire.

Mr. Anelli informed that Eureka County is a member of the United States Fire Department Association, so per the request of Chief Dan Brown, a check was written from the Association's burn fund in the amount of \$500.00 and presented to the property owner, Ms. Claire Morrow.

Fire Act Grant Application: ON April 4th, NDF submitted two grants to FEMA on behalf of the Eureka County Fire Protection District. One is for \$300,000.00 for a new tender, and the other is for \$72,000.00 for training program software; both grants require a ten percent match. At the last meeting, Sam Hicks explained that complete information was not obtained in time to include this on the agenda, but he obtained consent from the Board to move forward to meet the application deadline. Commissioner Bailey motioned to ratify submittal of the grant applications to FEMA. Commissioner Benson seconded the motion. Motion carried 3-0.

NEPA COMMITTEE

Letter to BLM Regarding Comment Period on Mount Hope Project EIS: The NEPA Committee submitted a letter for approval and signature by the Board, written to the Bureau of Land Management (BLM). The letter outlined the short timeframe of the 45 day comment period, requesting an extension to 90 days. The letter also noted the inconvenience of the public hearing dates which were scheduled on November 26th and 27th, over the Thanksgiving holiday, which was not acceptable. Commissioner Benson motioned to sign this letter and forward to the BLM. Commissioner Bailey seconded the motion. Motion carried 3-0.

EUREKA AND BEOWAWE JUSTICE COURTS

Review Quarterly Reports: The Board reviewed the quarterly reports as submitted by the Eureka Justice Court and the Beowawe Justice Court and found the reports satisfactory.

CRESCENT VALLEY TOWN ADVISORY BOARD

Dugouts for Crescent Valley Ball Park: Town Board member, Chuck Henry, commented that dugouts for the ball park were approved during the previous year's budget meetings and he

didn't understand why this required approval again. After some discussion, the Board asked the Town Board members to look into temporary covers similar to those being considered for the Fairgrounds bleachers.

Recommendation Regarding Level of Services at Crescent Valley Clinic: Town Board member, Dee Mallory, reported that she researched the level of service and at some point Nevada Health Centers had cut back to every other Friday. Chairman Ithurralde commented that the clinic sign advertised every Wednesday and every Friday, and Commissioner Benson noted that no cut-backs had been approved.

Ms. Mallory reported on the special meeting held by the CVTAB to consider the addition of telemedicine, stating the majority of those attending the special meeting were in favor of this enhancement. The Town Board conducted a mail survey and results were also favorable, although because of the short timeframe, many surveys had not yet been returned. To date, results were: 13 in favor, 21 willing to try, and 16 against.

Commissioner Benson commended the CVTAB for bringing these problems to the Commissioners' attention, but was concerned that an addition of services (increasing the annual amount to \$248,000.00) offered no more assurance that the agreed upon level of service would be provided, when Nevada Health Centers has not performed acceptably on the current level of services (at a cost of \$60,500.00 annually). Chairman Ithurralde had talked to several residents who were uncomfortable with the telemedicine approach. Commissioner Bailey stated she also had concerns with the telemedicine option.

The Board and District Attorney briefly discussed whether a breach of contract had occurred regarding the failure to provide the agreed upon services. If a breach occurs, the remedy is to unilaterally terminate the contract, and the Board agreed that this would not solve anything. The Board discussed that it may be beneficial to introduce more specific language into the contract regarding level of services.

Commissioner Benson suggested a compromise as an alternate to the telemedicine option. At the current cost of \$60,500.00 annually, Crescent Valley is currently receiving the equivalent of three half-days of physician service. Commissioner Benson proposed that this simply be doubled to the equivalent of six half-days (three full-days) at an increased cost of \$120,000.00 annually, and asked that this be drafted in the form of a contract. Nevada Health Centers could agree to sign or offer a response. Commissioner Benson then offered his proposal in the form of a motion, with the additional requirement that walk-ins be accepted. Commissioner Bailey seconded the motion. Motion carried 3-0.

NEVADA HEALTH CENTERS, INC.

Representatives from Nevada Health Centers, Inc., were unable to attend the meeting. Crescent Valley services were discussed extensively under the previous section. Contract renewal was postponed pending a response from Nevada Health Centers.

EUREKA COUNTY SCHOOL DISTRICT

Update on Administration of School Bond: Superintendent, Ben Zunino, and Chief Financial Officer, Lisa Jones, provided an update on administration of the school bond debt. Chairman Ithurralde commented that periodic updates are beneficial because the Commissioners are frequently asked about status of the bond debt. Superintendent Zunino agreed that the School District Board of Trustees desires to be as transparent as possible.

Ms. Jones provided handouts documenting activity of the bond debt, and reviewed ad valorem taxes and basic government service tax income that are designated to the debt service fund. She thought it was noteworthy that in February, \$500,000.00 was transferred from the district's general fund into the debt service fund. Superintendent Zunino stated that this additional payment was made, but was returned by the bank because payments can only be

submitted at scheduled times. At present, the debt service fund has accumulated an excess of next year's requirements, and the Trustees will address a strategy for payments in the current and upcoming fiscal years, including the payment scheduled for May 1, 2008.

21ST CENTURY COMMUNITY LEARNING CENTERS AFTER-SCHOOL PROGRAM

Approval of Partnership Organization Form: Sandy Green, Facilitator, reported that the After-School Program is in its final year of a five-year grant. Application is being made to the 21st Century Program in the amount of \$399,510.00 for an additional five years, and requires signing of partnership forms from each of the partners: Juvenile Probation Department, Sheriff's Department, Cooperative Extension, and Eureka County. Commissioner Bailey motioned to approve signing the partnership organization form in support of the 21st Century After-School Program; Commissioner Benson seconded the motion; motion carried 3-0.

Resolution in Support of the 21st Century After-School Program: Commissioner Benson motioned to adopt the resolution supporting this program. Commissioner Bailey seconded the motion. Motion carried 3-0.

Eureka, Nevada

RESOLUTION

April 7, 2008

OF THE EUREKA COUNTY BOARD OF COMMISSIONERS
SUPPORTING THE EUREKA COUNTY SCHOOL DISTRICT'S EFFORTS
TO OBTAIN A 21ST CENTURY COMMUNITY LEARNING CENTER GRANT

WHEREAS, Eureka County is situated in rural Nevada; and

WHEREAS, the opportunities for school children to be exposed to academic and cultural activities outside of school is limited; and

WHEREAS, the Eureka County School District is expected to apply for such funding;

NOW THEREFORE BE IT RESOLVED the Eureka County Board of Commissioners supports the Eureka County School District's efforts to obtain a 21st Century Community Learning Centers Grant, and will work with the School District to make academic and cultural activities available outside of school.

Adopted this 7th day of April, 2008.

/s/ J.P. Ihurralde
J.P. Ihurralde, Chairman

/s/ Kenneth Benson
Kenneth Benson, Vice Chair

/s/ Donna Bailey
Donna Bailey, Member

Attest: /s/ Jackie Berg
Clerk

EUREKA COUNTY HIGH SCHOOL RODEO CLUB

Use of County Equipment and Personnel for Eureka High School Rodeo: Each year the County provides support to the Eureka County High School Rodeo. Ron Wilson, Director, attended to request this support for the upcoming rodeo scheduled for Memorial Day weekend. Commissioner Benson motioned to approve the use of County equipment and personnel at the upcoming High School Rodeo and in preparation of the rodeo. Commissioner Bailey seconded the motion. Motion carried 3-0.

Paper Donation to the Rodeo Club: Commissioner Bailey motioned to approve donating paper to the High School Rodeo Club for preparation of rodeo programs. Commissioner Benson seconded the motion. Motion carried 3-0.

EUREKA COUNTY SHERIFF

Quarterly Report on Detention Facility: Sheriff Ken Jones reported on the security of the detention facility and verified the proper treatment and condition of the prisoners during the last quarter. The jail had 27 new bookings during that period (nine more than the previous quarter) and housed a total of 37 inmates, averaging 7.73 inmates per day.

Annual Walk-Through of Justice Facility: Commissioner Benson motioned that the Commissioners and District Attorney would engage in the annual walk-through of the Justice

Facility immediately following adjournment of the day's meeting, with the Clerk completing appropriate paperwork for submission to the Nevada Public Agency Insurance Pool. Commissioner Bailey seconded the motion. Motion carried 3-0.

QUARTERLY DRUG REPORTS

Report from Sheriff Regarding Drug Related Arrests/Interventions: Sheriff Jones provided statistics related to drug arrests for the past quarter: possession of marijuana, first offense-1; possession of a controlled substance (imitation)-1; possession of drug paraphernalia-3; hypodermic devises-2; methamphetamine-1; and under the influence of a controlled substance-1. Sheriff Jones said the number of arrests was down during this period, which he contributed directly to two factors: (1) the time of year; and (2) it has been necessary to use the officer assigned to narcotics for patrol.

Report from District Attorney Regarding Drug Related Convictions/Acquittals/Sentencing: District Attorney, Ted Beutel, agreed with the Sheriff that the actual number of offenses had gone down, but added that the number of offenders had gone up. A total of 29 offenders were referred to the District Attorney for prosecution during the last quarter, with nine of those being drug related. The drug related charges for those individuals included: misdemeanor DUI drugs-3, felony possession of marijuana-4, possession of drug paraphernalia-2, growing marijuana-1, felony possession of methamphetamine-1, possession of hypodermics-1, unlawful use of controlled substance and paraphernalia-1, and possession of an imitation of controlled substance-1. Mr. Beutel stated that his office declined to prosecute the last one, as it was a combination of tobacco and spices, and was dealt with by notifying the parents.

EUREKA COUNTY DISTRICT ATTORNEY

Approve Furniture for District Attorney's Office and Law Library: Mr. Beutel submitted furniture quotes for the District Attorney's office and Law Library. Due to relocation of County offices, Justice Court will make use of the law library for witnesses, defense counsel, etc., which requires additional seating and a conference table. Filing cabinets were requested as current filing needs have far exceeded the available space. Additional bookcases are needed for the Law Library, and other furniture is needed to accommodate the addition of an Administrative Assistant and to replace a desk that doesn't work well in the new office. Commissioner Benson motioned to approve the quote, in the amount of \$10,088.88, for furniture for the Law Library and District Attorney's office. Commissioner Bailey seconded the motion. Motion carried 3-0.

Job Description for Administrative Assistant: The job description was approved at the March 20th meeting, but the Clerk placed it on this agenda because step and range had not been approved. Recorder/Auditor Mike Rebaleati explained that the step and range go along with the job description, so there was no need for a further motion. The Board decided to affirm their previous motion for clarification, and Commissioner Benson motioned to approve the job description for the Senior Department Assistant set at a range 115 on the County wage scale. Commissioner Bailey seconded the motion. Motion carried 3-0.

Authorization to Advertise for Administrative Assistant: Commissioner Benson motioned to authorize advertisement for the Administrative Assistant position with an application deadline of May 12, 2008. Commissioner Bailey seconded the motion. Motion carried 3-0.

EUREKA COUNTY CLERK/TREASURER

Quarterly Clerk Report: Clerk & Treasurer, Jackie Berg, presented the quarterly Clerk report, which reflected District Court and Clerk fees collected during the last quarter. The report was straightforward and the Board had no questions.

Treasurer's Monthly Report: The December 2007 Treasurer's Report was presented for the Board's perusal. Ending balance for the month of December was \$46,062,931.39.

RESOLUTION REGARDING AVIATION LEGISLATION

Commissioner Bailey motioned to adopt the resolution regarding aviation legislation as presented. Commissioner Benson seconded the motion. Motion carried 3-0.

Eureka, Nevada

RESOLUTION

April 7, 2008

OF THE EUREKA COUNTY BOARD OF COMMISSIONERS OPPOSING THE ENACTMENT OF PROVISIONS IN U.S. S. 1300, THE AVIATION INVESTMENT AND MODERNIZATION ACT OF 2007, AND OPPOSING ANY MEASURE OR AMENDMENT THAT WOULD OVERHAUL THE CURRENT EFFICIENT AND RELIABLE FUEL TAX SYSTEM USED BY GENERAL AVIATION IN FAVOR OF NEW TAXES AND FEES; AND RESOLVING TO SUPPORT H.R. 2881 AND IN SUPPORT OF THE AMERICAN INFRASTRUCTURE INVESTMENT AND IMPROVEMENT ACT APPROVED BY THE U.S. SENATE COMMITTEE ON FINANCE WHICH FUND MODERNIZATION EFFORTS VIA THE EXISTING FUEL TAX SYSTEM

WHEREAS, the general aviation sector is a vital engine of growth in the State of Nevada economy, providing jobs, economic opportunity and revenue; and

WHEREAS, S. 1300 "user fee" taxes and any new taxes or fees outside the current funding structure could create significant economic harm and an increased bureaucratic burden on small businesses, small airports, and individuals and organizations that depend upon general aviation, and

WHEREAS, given the geography of the State of Nevada, a great many businesses, farms, and communities depend upon small planes and general aviation for access to medical treatment, mobility, economic opportunity, disaster relief, and a wide range of critical resources and services, and

WHEREAS, the existing excise fuel tax system provides the necessary funding to achieve modernization of our National Air Transportation System and could generate modernization funding in a manner that would not be harmful to small towns and small businesses;

NOW THEREFORE, BE IT RESOLVED the Board of Eureka County Commissioners opposes the enactment of the provisions of U.S. S. 1300 or any legislation that imposes new taxes and fees upon non commercial aviation, including "per flight charges," increases in aviation fuel and gas taxes above adjustments for inflation, or any other taxes and fees outside the current funding structure for the Federal Aviation Administration; and

BE IT FURTHER RESOLVED the Clerk of this Board is directed to transmit a copy of this Resolution to the Governor, and Nevada's Congressional Delegation.

Adopted this 7th day of April, 2008.

/s/ J.P. Ihurralde
J.P. Ihurralde, Chairman

/s/ Kenneth Benson
Kenneth Benson, Vice Chair

/s/ Donna Bailey
Donna Bailey, Member

Attest: /s/ Jackie Berg
Clerk

PROPOSED CHANGES TO COUNTY SICK-LEAVE POLICY

Review and Modify Proposed Resolution Amending Sick-Leave Payout: The proposed resolution provided for a 75% percent payout of accrued sick-leave upon separation of employment. Commissioner Benson requested a more defined beneficiary designation, and Mr. Rebaleati requested clarification whether the 75% payment would be based on the employee paid rate or the employer paid rate. Commissioner Benson motioned that modified language be reviewed at the April 21st meeting, and to proceed with advertising for the public hearing set for May 6th. Commissioner Bailey seconded the motion. Motion carried 3-0.

Review and Modify Proposed Resolution Regarding Transfer of Sick-Leave: The proposed resolution would allow for transfer of sick-leave into a bank to be administered by the County and used by employees in hardship cases. The Board discussed confidentiality issues related to HIPPA legislation. Commissioner Benson motioned that the resolution language be modified to include a section requiring signature of a HIPPA waiver upon making application to the sick-leave bank. Chairman Ihurralde seconded the motion. Motion carried 3-0. Commissioner Benson motioned to set the public hearing date to consider these resolutions for May 6th at 1:30 p.m. Commissioner Bailey seconded the motion. Motion carried 3-0.

COMMISSIONERS

Update Reports: Commissioner Benson participated in an executive review meeting with General Moly, Inc., on April 1st, relating to the Eureka Canyon Subdivision. Chairman Ithurrealde attended the Central Nevada Regional Water Authority meeting recently in Lovelock, and attended the Nevada Association of Counties meeting via teleconference.

Ratify Letter Submitted to CVTAB Opposing Funding of Drinks at Founder's Day Event: Chairman Ithurrealde received a number of phone calls opposing the Crescent Valley Town Advisory Board's approval to provide free drinks at the upcoming Founder's Day event. Commissioner Bailey also received several calls concerning this issue. In the interest of time, Chairman Ithurrealde drafted a letter and forwarded it immediately to the Town Board, stating it was inappropriate use of taxpayer dollars. Commissioner Benson motioned to ratify the letter to the Crescent Valley Town Advisory Board relaying the County's opposition to providing free alcoholic beverages at their upcoming Founder's Day event. Commissioner Bailey seconded the motion. Motion carried 3-0.

Proposal of Resolution Promoting Nevada Wildland Fire Awareness Week: Commissioner Benson motioned to propose a resolution supporting Nevada Wildland Fire Awareness Week. Commissioner Bailey seconded the motion. Motion carried 3-0. The resolution will be presented at the April 21st meeting for adoption by the Board.

Agreement with Utah Tire for Tire Collection at the Eureka Landfill: Commissioner Benson motioned to ratify signing an agreement with Utah Tire for tire collection at the Eureka Landfill, as discussed at the March 6th meeting. Commissioner Bailey seconded the motion. Motion carried 3-0.

PUBLIC COMMENT

The Chairman opened the floor to public comment. Cleve Mallory commented on the continued negativity towards Crescent Valley, specifically citing that he had hoped the Commissioners would approve the telemedicine option for the clinic, feeling that the \$250,000.00 annual cost was nothing if it saved one life.

A school teacher from Massachusetts, BJ Hill, introduced himself stating he is walking across country from San Francisco to Boston. Along the way he is asking people to journal messages for the next President of the United States, and asked for anyone interested to please take a minute to jot something in his journal. Several staff members complied upon conclusion of the meeting.

ADJOURNMENT

At 4:25 p.m., Commissioner Benson motioned to adjourn the meeting. Commissioner Bailey seconded the motion. Motion carried 3-0. The Chairman reminded everyone to meet at the Justice Facility for the annual walk-through.

Approved this 6th day of May, 2008.

/s/ J.P. Ithurrealde

J.P. Ithurrealde, Chairman

Attest: /s/ Jackie Berg
Jackie Berg, Clerk